THE HON'BLE SRI JUSTICE V.ESWARAIAH

W.P.NO.4545 OF 2006

Dt.9.3.2006

Between:

K.B.S.Koteswara Rao … Petitioner

And

The Mandal Revenue Officer,

Ghantasala Mandal, Krishna District … Respondent

ORDER:

Petitioner questions the action of the respondent in issuing R.C.A. 15/2006 dated 2.3.2006 as arbitrary and illegal and consequently direct the respondent not to alienate the leased land of Ac.0.16 cents in R.S.No.403 of Ghantasala Village of Krishna District to any one by making survey under the pretext of encroachment.

The petitioner submits that an extent of Ac.0.16 cents of land in R.S.No.403 of Ghantasala Village was granted on lease on yearly basis and the lease renewal was also made in R.C.A.No.240/98 dt.31.1.2006 upto the end May, 2006 subject to certain conditions that the lessee shall personally cultivate the said land, he shall not alienate and the Government is empowered to take the said land for its

necessities without any notice. It is stated that while subsisting of the lease period the Mandal Revenue Officer, Ghantasala issued notice dated 2.3.2006 to the people of Ambedkar Nagar directing them to be present on 3.3.2006 at 10.00 a.m., to survey boundaries and remove the encroachments in respect of the land allotted to them. It is stated that the petitioner has not encroached any land and he is in possession of only an extent of Ac.0.16 cents of land in R.S.No.403 of Ghantasala Village.

Heard the learned counsel for the petitioner and the learned Government Pleader for Revenue.

Having regard to the facts and circumstances of the case, the petitioner is directed to make a representation before the respondent with reference to the lease of the land to an extent of Ac.0.16 cetns in Sy.No.403 in proceedings dated 31.1.2006 within two weeks from today and on filing such a representation the respondent may consider and dispose of the same by conducting enquiry in accordance with law.

The writ petition is disposed of accordingly. No order as to costs.

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(V.ESWARAIAH, J.)

9.3.2006

Note: Issue copy within two days

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